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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/735,017  
Applicant(s) : Terry F. Plasse  
Filed : December 12, 2003  
Tech Cntr/AU : 1615  
Examiner : Thurman K. Page  
Entitled : Appetite Stimulation and Reduction of Weight Loss in  
Patients Suffering from Symptomatic HIV Infection

Attorney Reference : 112689-03223109  
Customer Number : 43569

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Sir:

Pursuant to 37 CFR §1.97 and 1.56, the attention of the U.S. Patent and Trademark Office is hereby directed to the following disclosures made herein, which include:

**REFERENCES AND RELEVANCY**

- ☐ Applicant(s) wish(es) to make of record the documents listed on the attached Form PTO-1449. Copies of the listed documents are attached, where required, as are any readily available full or partial English translations of any non-English language documents.
- ☒ Applicant(s) wish(es) to make of record the documents listed on the attached Form PTO-1449. The references cited herein were cited for consideration in the parent application, and, pursuant to 37 CFR 1.98(d), copies of the cited references can be found in the file of the parent application (*U.S. Serial No. 007/893,554, filed June 3, 1992*).
- ☐ Applicant(s) wish(es) to make of record the documents listed on the attached Form PTO-1449. The references cited herein were cited in the International Search Report issued for the corresponding International application, and copies of the International Search Report and the cited references are attached for the Examiner's consideration.
- ☐ Applicant(s) wish(es) to make of record the documents listed on the attached Form PTO-1449. The references cited herein were cited in a communication from a foreign or international patent office in a counterpart foreign or international application(s), and copies of both the relevant communication and the cited references, where required, are attached for the Examiner's consideration.

#### CERTIFICATION

The undersigned certifies that, pursuant to 37 CFR §1.97(e)(1),

- ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign or international patent office in a counterpart foreign or international application not more than three months prior to the filing of this Statement.

#### RELATED CASES

- ☐ Identified in the attached Appendix are related applications directed to related technical subject matter. Copies of the related applications, where required, are attached for the Examiner's consideration. *The identification of the related U.S. patent applications is not to be construed as a waiver of secrecy for those applications, now or upon issuance of the present application as a patent.*

#### BASIS FOR CONSIDERATION

This Information Disclosure Statement is filed:

- ☒ within three months of the filing date of the application and/or before the mailing date of a first Official Action on the merits, and no fee is required [37 C.F.R. §1.97(b)].
- ☐ with the appropriate certification, and no fee is required [37 C.F.R. §1.97(e)(1)].
- ☐ after the mailing date of the first Official Action on the merits, but prior to the issuance of a Final Official Action or a Notice of Allowance, and the requisite fee, if necessary, is authorized herein for payment [37 C.F.R. §1.97(c)].
- ☐ after the mailing date of the Final Official Action or Notice of Allowance, but prior to the payment of the issue fee, the requisite certification under 37 CFR §1.97(e)(1) is made herein, and the requisite fee, if necessary, is authorized herein for payment [37 C.F.R. §1.97(d)].
- ☐ with a Request for Continued Examination (RCE), and no fee is required [37 C.F.R. §1.97(b)(4)].

#### FEE AUTHORIZATION

- ☒ Authorization is hereby given to charge any deficient fee(s) under 37 CFR §1.16 and §1.17 as necessary to ensure the consideration of this disclosure, or to credit any fee overpayments, to Deposit Account No. 503-121.
- ☐ Authorization is hereby given to charge the requisite fee of \$180 (Fee Code 1806) for submission of this Information Disclosure Statement to Deposit Account No. 503-121.


It is respectfully requested that this information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The Examiner is further respectfully requested to return of a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column.

The examination and allowance of this Application is respectfully requested.

Respectfully Submitted,

MAYER BROWN ROWE & MAW LLP

By:   
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Registration No. 52,603

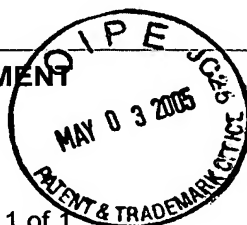
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Attachment(s): PTO Form 1449

**INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT**



Attorney Reference: 112689-03223109

Applicant: Terry F. Plasse

Application Serial No. 10/735,017

Filing Date: December 12, 2003

Date: May 3, 2005

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Examiner: T. Page

Group Art Unit: 1615

**U.S. PATENT DOCUMENTS**

Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR					
	BR					
	CR					
	DR					

**FOREIGN PATENT DOCUMENTS**

OVERALL EVALUATION							Available		Abstract	
		Document Number	Date MM/YYYY	Country			Enclosed	No	Enclosed	No
	ER									
	FR									

**OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)**

GR	Vaupel, D. B. et al, Pharmacol Biochem Behav 17(3): 539-545 (1982).
HR	Noyes, R, et al, Comp Psychiatry 17(5): 641-646 (1976).
IR	Gorter, R., "Management of Anorexia-cachexia Associated with Cancer and HIV Infection", Supplement Oncology, vol. 5, No. 9, p. 13-17, (1991).
JR	Friedman H., Klien T., Specter S., Pross S., Newton, C., Blanchard DK., "Widen R., Drugs of Abuse and Virus Susceptibility", Psychological Neuropsychiatric and Aspects of Aids, Raven Press, New York, (1998), p. 125-137.
KR	Noe SN., Nyland SB, Ugen K., Friedman H., Klein TW., "Cannabinoid Receptor Agonists Enhance Sycytia Formation in MT-2 Cells Infected With Cell Free HIV-1 mn, Drugs of Abuse", Immunomodulation, and AIDS, p. 223-229, (1998).
LR	Srivastava MD., Srivastava BIS., Brouhard B., "Tetrahydrocannabinol and Cannabidiol Alter Cytokine Production by Human Immune Cells", Immunopharmacology 40 p. 179-185 (1998).
MR	Harkins T., Herriott KB., "Medical Management of Acquired Immune Deficiency Syndrome Patients: a Review", J. of The American Optometric Association, vol. 63, No. 1, p. 35-42, (1/92).
NR	Anderson, P.O. and G.G. McGuire, "Delta-9-tetrahydrocannabinol as an Antiemetic", Am. J. Hosp. Pharm., 38: 639-46 (1981).
OR	MacGregor, R.R., "Alcohol and Drugs as Co-Factors for AIDS", Adv. Alcohol Subst. Abuse, 7(2):47-71 (1987).
PR	Pillai, R.M., and R.R. Watson, "In vitro Immunotoxicology and Immunopharmacology: Studies on Drugs of Abuse," Toxicology Letters, 53: 269-283 (1990).
QR	Pillai et al., "AIDS, Drugs of Abuse and the Immune System: A Complex Immunotoxicological Network", Arch. Toxicol., 65: 609-617 (1991).
RR	Pross et al., "Differential Suppression of T-Cell Subpopulations By THC (Delta-9-Tetrahydrocannabinol)", Int. J. Immunopharmac., 12(5): 539-544 (1990).
SR	Schwartz C.J., "AIDS and Marijuana Use", Hosp Community Psychiatry., 38(5):530-1 (1987).
TR	Specter et al., "Combined Immunosuppressive Activities of Delta-9-Tetrahydrocannabinol and Murine Retrovirus", Adv. Exp. Med. Biol., 288:135-141 (1991).
UR	Specter et al., "Delta-9-Tetrahydrocannabinol Augments Murine Retroviral Induced Immunosuppression and Infection", Int. J. Immunopharmac., 13(4): 411-417 (1991).
VR	Tidall et al., "The Sydney AIDS Project: Development of Acquired Immunodeficiency Syndrome in a Group of HIV Seropositive Homosexual Men", Aust. NZ J. Med, 18: 8-15 (1988).

Examiner

Date Considered:

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.